

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

EUGENE DUNCAN AND ON BEHALF OF  
ALL OTHER PERSONS SIMILARLY  
SITUATED,

Plaintiff,

v.

GABRIEL BROS, INC.,

Defendant.

Case No. 1:21-CV-5368

Hon. Pamela K. Chen.

**DECLARATION**

I, Christopher W. Pendleton, declare under penalty of perjury, that the following is true and correct:

1. I am a member of good standing of the Bar of the State of New York (attorney license no. 5302112) and an Associate at the law firm of Benesch, Friedlander, Coplan & Aronoff LLP, which is currently counsel of record for Defendant Gabriel Bros., Inc. in the above-captioned action.

2. I have been admitted to practice law in this Court since March 23, 2016.

3. I submit this Declaration in support of the Stipulation and Consent Order Substituting Counsel to substitute the law firm of Blank Rome LLP, and its attorney, Martin Krezalek, as attorney of record for Defendant Gabriel Bros., Inc. in this action in place of and instead of myself and the law firm of Benesch, Friedlander, Coplan & Aronoff LLP.

4. Defendant Gabriel Bros., Inc. has consented to the substitution of attorneys, as evidenced in the Stipulation and Consent Order Substituting Counsel accompanying this Declaration.

5. Blank Rome LLP and Benesch, Friedlander, Coplan & Aronoff LLP have also both executed the Stipulation and Consent Order Substituting Counsel accompanying this Declaration.

**WHEREFORE**, it is respectfully requested that the Stipulation and Consent Order Substituting Counsel be granted.

Dated: December 13, 2021

/s/ Christopher W. Pendleton  
Christopher W. Pendleton